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JOURNAL

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CONSTITUTIONAL CONVENTION

WHICH CONVENEED AT

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13TH DAY OF FEBRUARY, 1864.

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ALEXANDRIA, VA., Feb. 13th, 1864.

The members of the Convention elected to alter and amend the Constitution of the State of Virginia, assembled in the United States District Court Room, and were called to order by W. W. WING, at 12 o'clock, M.

On motion of W. W. WING, Dr. L. W. WEBB, of Norfolk, was elected temporary Chairman, and W. J. COWING, of Alexandria, temporary Secretary.

Mr. WING moved that a Committee on Credentials, consisting of five members be appointed. The motion being put it was adopted, and the President appointed the following named members: Messrs. G. R. Boush, E. R. Gover, John W. Stone, John Hawxhurst and Dr. A. Watson.

Mr. WING then moved the appointment of a Committee, consisting of three members, to report permanent officers for the Convention.

The motion was adopted, and the President appointed the following named members: Messrs. W. W. Wing, S. F. Beach and LeRoy G. Edwards.

On motion of Mr. WING, the Convention then adjourned until 12 o'clock, M., on Tuesday next.

—o—
ALEXANDRIA, Tuesday, Feb. 16th, 1864.

Convention met at 12 o'clock, M.

Mr. BOUSH, from the Committee on Credentials, made the following report:

“Your committee have examined and found correct the commissions of the following named gentlemen:

JOHN W. STONE, of Princess Anne County.

GEORGE R. BOUSH, and PHILIP G. THOMAS, of Norfolk County.

WARREN W. WING, of Norfolk Senatorial District.

JOHN J. HENSHAW, JAMES M. DOWNEY and E. R. GOVER, of Loudoun County.

LEROY G. EDWARDS, of the Senatorial District of the Counties of Princess Anne and Norfolk and City of Portsmouth.

WILLIAM H. DIX, of Accomac County.

ARTHUR WATSON, of Accomac and Northampton Counties.

LEWIS W. WEBB, of Norfolk City.

ROBERT B. WOOD, of Elizabeth City.

T. S. TENNIS, of Elizabeth City, York, Warwick, Charles City and New Kent Counties, James City and the City of Williamsburg.

WILLIAM P. MOORE, of Northampton County.

JOHN HAWXHURST, of Fairfax County.

S. FERGOUSON BEACH, of Alexandria and Fairfax Counties.

WALTER L. PENN, of Alexandria County.

G. R. BOUSH, Chairman."

The report of the committee was accepted.

Mr. WING, from the committee on permanent organization and Rules for the government of the Convention, made the following report:

"The committee on organization and Rules respectfully report that they recommend as officers of the Convention the following:

A President.

A Secretary.

A Reading Clerk.

A Sergeant-at-Arms.

A Doorkeeper.

To be elected by ballot.

The Rules of the House of Delegates, so far as they are applicable, are recommended as the Rules of the Convention, subject to such modifications as the Convention may from time to time find necessary.

W. W. WING, Chairman."

Mr. HAWXHURST moved to amend by striking out "Reading Clerk" and substituting therefor "Stenographic Reporter."

Mr. WING thought the expense would be too great with the limited means in the Treasury.

Mr. DOWNEY favored the amendment, but as it was not seconded,

Mr. BOUSH moved to amend by adding to the Report of the Committee "And also a Stenographic Reporter." The amendment was adopted. The report of the Committee was then concurred in as amended.

Mr. WING offered the following resolution:

Resolved, That the pay of the President be the same as a member.

Mr. DOWNEY offered an amendment fixing the salary of the President at eight dollars per diem, which was lost. The resolution was then adopted.

Mr. THOMAS offered the following resolution, which was adopted:

Resolved, That the pay of the Clerks and Reporter of this Convention shall be six dollars per diem each.

On motion the election of permanent officers was then gone into.

Mr. WING nominated LeRoy G. Edwards, of Norfolk, for President, and Mr. GOVER nominated Dr. A. Watson, of Accomac county.

The first ballot resulted as follows :—LeRoy G. Edwards 10 ; Dr. A. Watson 5 ; W. W. Wing 1.

Mr. EDWARDS was declared duly elected and was conducted to the chair by Dr. Webb. He accepted the honor conferred upon him by a few appropriate remarks.

Mr. WING nominated W. J. Cowing of Alexandria, for Secretary. There being no other nominations he was declared unanimously elected.

Mr. WING nominated Wm. F. Mercier, of Loudoun County, for Reading Clerk. There being no other nominations he was declared unanimously elected.

Mr. WEBB nominated Mr. G. P. Kneller, of Norfolk County, for Sergeant-at-Arms.

Mr. BEACH nominated Mr. Brooks of Fairfax County.

The first ballot resulted as follows :—Mr. Kneller 15 ; Mr. Brooks 2. Mr. Kneller having received a majority of the votes cast was declared duly elected.

The following named gentlemen were put in nomination for Doorkeeper: Edward Sullivan, of Alexandria; Wm. Hough, of Loudoun County; John Hanna, of Fairfax County; Joseph Colton, of Alexandria County.

On the third ballot Mr. Colton received nine votes, Mr. Hough five and Mr. Hanna two. Mr. Colton having received a majority of the votes cast was declared duly elected.

Mr. HAWKHURST offered the following resolution, which was adopted :

Resolved, That the President be authorized to employ a reporter.

Dr. WEBB offered the following resolution, which was also adopted :

Resolved, That the Sergeant-at-Arms is hereby instructed to procure additional desks or tables for the use of the Convention.

Mr. WING offered the following resolution, which was also adopted :

Resolved, That the Sergeant-at-Arms be directed to purchase a stove for the more comfortable warming of the room, and also to procure stationery for the use of the Convention.

Mr. WING also offered the following resolution :

Resolved, That a committee of five be appointed to confer with the President of the United States on the question of emancipation.

Mr. WATSON moved to amend by adding “and compensation” after the word “emancipation.”

Messrs. BUSH and HAWKHURST objected to the resolution, and thought it unwise and untimely.

Dr. WATSON also thought the resolution premature.

Mr. HAWKHURST moved to lay on the table, which motion was not sustained.

The ayes and nays being called for on the passage of the resolution, the vote stood as follows :

Ayes--Messrs. LeRoy G. Edwards, (President), Moore, Penn, Thomas, Stone, Tennis, Webb, Wing.---8.

Nays--Messrs. Beach, Boush, Downey, Dix, Gover, Henshaw, Hawkhurst, Wood, Watson--2.

So the resolution was lost.

Dr. WATSON offered the following resolutions which were adopted

Resolved, That the President of this Convention be instructed to appoint the following Committees :

A Committee on the Judiciary, consisting of five members.

A Committee on the Elective Franchise, consisting of five members.

A Committee on Representation, consisting of five members.

A Committee on Emancipation, consisting of five members.

On motion the Convention adjourned until 12 o'clock, to-morrow.

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WEDNESDAY, Feb. 17th, 1864.

Convention met at 12 o'clock, M.

The proceedings of the previous meeting were read and approved.

Mr. DOWNEY offered the following resolution which was adopted :

Resolved, That the President be instructed to appoint the following additional Committees :

A Committee on Bill of Rights, consisting of five members.

A Committee on Executive Department, consisting of five members.

A Committee on Legislative Department, consisting of five members.

A Committee on Education, consisting of five members.

Mr. DOWNEY offered the following resolutions, which were also adopted :

Resolved, That the Clerk be authorized to purchase a Journal in which to record the proceedings of this Convention.

Resolved, further, That he be authorized to have twenty-five copies of the Journal printed daily for the use of the Convention.

Mr. WING offered the following resolution, which was adopted :

Resolved, That the session of the Convention be opened with prayer, and that the President be authorized to confer with the clergymen of this city for that purpose.

Mr. DOWNEY offered the following resolution, which was adopted :

Resolved, That the Sergeant-at-Arms be instructed to subscribe for one hundred and twenty-five copies of the *Virginia State Journal* (Daily) for the use of members of this Convention, and that the same be enclosed in wrappers ready for mailing.

Mr. BOUSH offered the following resolution :

Resolved, That a Committee of five be appointed by the President to determine who are citizens of the Restored Government of Virginia, and how citizenship may be relinquished.

Mr. WATSON offered the following amendment :

"That the Committee on the Elective Franchise be, and are hereby instructed to report on the above subject."

The amendment was accepted and the resolution was then adopted as amended.

Dr. WEBB offered the following resolution, which was adopted :

Resolved, That the Sergeant-at-Arms be authorized to have fifty copies of the Rules adopted by this Convention printed for the use of its members.

Mr. HAWXHURST offered the following resolution, which was rejected:

Resolved, That a Committee of five be appointed to take into consideration the propriety of ordering an election in Prince William County for a Delegate to this Convention.

Mr. WING offered the following resolution, which was adopted :

Resolved, That we proceed to the election of a Janitor, whose duties shall be to make fires and keep the Hall in order, and whose compensation shall be two dollars per diem.

Wm. Hough, of Loudoun County, and John Hanna, of Fairfax County, were then put in nomination for Janitor.

The first ballot resulted as follows :—Hough 12; Hanna 4.

Mr. HOUGH having received the highest number of votes cast was declared elected.

Mr. THOMAS offered the following resolution :

Resolved, That no person shall have access to this Convention as a newspaper reporter who disloyal, or who refuses to take the oath to the restored and vindicated Government of Virginia.

The resolution was debated at some length by Messrs. Pean, Boush, Downey, Thomas, Hawxhurst, Wing and Webb. On motion to have the ayes and nays taken on the adoption or rejection of the resolution, the vote stood as follows :

Ayes—Messrs. LeRoy G. Edwards, (President), Downey, Gover, Henshaw, Stone, Thomas, Tennis, Wood, Webb, Wing.—10.

Nays—Messrs. Beach, Boush, Dix, Hawxhurst, Moore, Penn, Watson.—7.

So the resolution was adopted.

Mr. DOWNEY offered the following resolution, which was adopted :

Resolved, That the Sergeant-at-arms be authorized to purchase a suitable desk and table for the proper security of the papers and documents of this Convention.

On motion the Convention adjourned until 12 o'clock to-morrow.

—o—
THURSDAY, Feb. 18th, 1864.

Convention met at 12 o'clock, M.

Prayer by Rev. W. F. SPEAKE, of the M. E. Church.

The minutes of the previous meeting were read and approved.

Mr. BEACH moved a reconsideration of the vote on the resolutions of the gentleman from Loudoun (Mr. DOWNEY), providing for the appointment of additional standing committees, and adopted yesterday. The motion being sustained.

Mr. BEACH offered the following resolutions as a substitute therefor, which were adopted :

Resolved, That the Committee to be appointed on the Elective Franchise, be also charged with the consideration of all such resolutions or propositions as may appertain to the Bill of Rights, the Division of Powers and the Qualification of Voters, and that said committee be denominated the "Committee on the Bill of Rights and the Qualification of Voters."

2. That the Committee to be appointed on Representation be charged with the consideration of all such resolutions or propositions as may appertain to the Legislative Department (excepting, however, resolutions or propositions touching the subject of Emancipation), and that said Committee be denominated the "Committee on the Legislative Department."

3. That the Committee to be appointed on the Judiciary be charged also with the consideration of all such resolutions or propositions as may appertain to the Executive Department, and that said Committee be denominated the "Committee on Executive and Judiciary."

4. That the Committee to be appointed on Emancipation be charged with the consideration of all such resolutions or propositions as may relate to the subject of Education, and that said Committee be denominated the "Committee on Emancipation and Education."

Mr. BEACH offered the following resolutions, which were adopted and referred to the Committee on the Legislative Department :

Resolved, That the Committee on the Legislative Department be directed to consider the expediency of providing, in the Constitution, against the payment or recognition of any debt or obligation created or entered into, in the name of the State, by the pretended State authorities at Richmond, since the date of the passage of the ordinance of secession, in April, 1861.

2. That said Committee be directed to consider the expediency of providing, in the Constitution, against the payment or recognition of any debt or obligation created or entered into by any County or by any municipal or other corporation of the State, to aid or promote the existing rebellion against the United States.

Mr. BEACH offered the following resolution which was also adopted :

Resolved, That the Committee on the Bill of Rights and Qualification of voters be directed to inquire into the expediency of so providing in the Constitution that all elections shall hereafter be by ballot.

On motion the Convention adjourned until 12 o'clock to-morrow.

—o—

FRIDAY, Feb. 19th, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

The President announced the appointment of the following standing Committees :

Committee on the Bill of Rights and Qualification of Voters:—Messrs. Dr. Arthur Watson, Walter L. Penn, William P. Moore, Philip G. Thomas and L. W. Webb.

Committee on the Legislative Department:—Messrs. James M. Downey, W. H. Dix, T. S. Tennis, John Hawxhurst and John W. Stone.

Committee on Executive Department and Judiciary:—Messrs. S. Ferguson Beach, Dr. J. J. Henshaw, E. R. Gover, G. R. Boush and W. W. Wing.

Committee on Emancipation and Education:—Messrs. W. W. Wing, S. Ferguson Beach, Dr. Arthur Watson, Philip G. Thomas and Robert B. Wood.

Mr. DOWNEY offered the following resolution, which was adopted :

Resolved, That a committee of three be appointed to report on the number of miles of travel of each member of this Convention.

The President appointed Messrs. Downey, Wood and Moore as said committee.

On motion of Mr. WING, Dr. Webb was added to the said committee.

Mr. DOWNEY, from the committee on Mileage, after a short absence, made the following report, which was adopted :

“ Your Committee find the members of this Convention entitled to mileage for the distances set forth opposite their names :

LeRoy G. Edwards,.....	254 Miles.
G. R. Boush,.....	254 “
Philip G. Thomas,.....	254 “
James M. Downey,.....	134 “
Dr. J. J. Henshaw,.....	134 “
E. R. Gover,.....	134 “
Dr. A. Watson,.....	289 “
Wm. H. Dix,.....	289 “
W. P. Moore,.....	270 “
T. S. Tennis,.....	242 “
Robert B. Wood,.....	242 “
W. W. Wing,.....	252 “
L. W. Webb,.....	252 “
J. Hawxhurst,.....	14 “
S. Ferguson Beach,.....	
Walter L. Penn,.....	
John M. Stone,.....	272 “

JAMES M. DOWNEY, Chairman.”

Mr. HAWXHURST stated that though he might be entitled to mileage, he should not claim it, as he was in the city on official business not connected with the Convention.

Mr. BOUSH offered the following resolution :

Resolved, That a committee be appointed, whose duty it shall be to ascertain and report to this Convention, whether the detestable practice of whipping human beings at the whipping post is still in force in any portion of the restored Government of Virginia.

After some debate the resolution was laid on the table.

Mr. BEACH offered the following resolution, which was adopted :

Resolved, That the Sergeant-at-Arms be directed to have printed, for the use of the members of the Convention, one hundred interleaved copies of the present Constitution and Bill of Rights of Virginia.

On motion the Convention adjourned until Tuesday next, the 23rd inst., at 12 o'clock, M.

—o—

TUESDAY, Feb. 23rd, 1864.

Convention met at 12 o'clock, M.

The proceedings of the previous meeting were read and approved.

Dr. WATSON, from the Committee on the Bill of Rights and Qualification of voters, reported that said Committee had had under consideration the Bill of Rights and begged leave to report the Bill of Rights of Virginia as passed June 12th, 1776, as amended by the Convention of 1850 and 1851, without alteration. The report was laid on the table and ordered to be printed.

Mr. DOWNEY, from the Committee on the Legislative Department, offered the following resolutions, which were debated and referred back to the Committee :

Resolved, That the Legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist in a Senate and House of Representatives. The style of all process shall be "The Commonwealth of Virginia."

2. The House of Representatives shall not consist of less than ninety nor more than one hundred members. The Senate shall not be greater than one-third the number of Representatives.

3. That the same be referred to the Committee on the Legislative Department.

Dr. WEBB introduced an ordinance relative to the qualification of voters, which was referred to the Committee on the Bill of Rights and Elective Franchise; and ordered to be printed for the use of the Convention.

Mr. WING offered the following resolutions, which were adopted :

Resolved, That the Committee on Emancipation and Education be instructed to inquire into the expediency of reporting the following as substitutes for the nineteenth, twentieth and twenty-first Sections of Article IV of the present Constitution of Virginia :

19th.—Slavery and involuntary servitude, (except for crime), is hereby abolished and prohibited in the State forever.

20th.—Courts of competent jurisdiction may apprentice minors of African decent on like conditions provided by law, for apprenticing white children.

21st.—The General Assembly shall make no law contravening the nineteenth Section of this Constitution.

Mr. PENN offered an Ordinance fixing the number and compensation of officers of the Convention. Laid on the table.

On motion the Convention adjourned until 12 o'clock to-morrow.

—o—

WEDNESDAY, Feb. 24th, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. BOUSH submitted the following resolution :

Resolved, That it shall be the duty of the Legislature to provide for and sustain a system of public schools adequate to the wants of the citizens, and that no child shall be prohibited therefrom on account of race or color.

On motion of Mr WATSON the resolution was referred to the Committee on Education.

Mr. WATSON submitted the following amendment to the first Section of the Third Article of the Constitution :

Every white male citizen of the Commonwealth of the age of twenty-one years, who has been a resident of the State for one year and of the county, city or town, where he offers to vote for six months next proceeding an election, shall be qualified to vote for member of the General Assembly and all officers elective by the people ; but no person shall vote hereafter at any election who has held a military commission under the so-called Confederate Government above the grade of Lieutenant Colonel, or who has held civil office under the so-called Confederate Government, or under the State Governments in rebellion against the Government of the United States, with the following exceptions, viz: Justices of the Peace, Constables, Surveyors of the Public Roads, Overseers of the Poor, Notaries Public, and Commissioners in Chancery.

All persons who have held military commissions under the so-called Confederate States of America below the grade of Colonel, shall not be qualified to vote for the space of five years after the date of the formation of this Constitution.

Nor shall any person be qualified to vote until after the expiration of the time aforesaid who has at any time favored the secession of Virginia from the United States, by advocating secession or voting for secession candidates for seats in the convention which assembled at Richmond on the thirteenth day of February, eighteen hundred and sixty-one, except such as may have afterwards voted against the ratification of the ordinance of secession.

No person in the military, naval or marine service of the United States shall be deemed a resident of this State by reason of being stationed therein. And no person shall have the right to vote who is of unsound mind, or a pauper, or commissioned officer, soldier, seaman, or marine in the service of the United States, or who has been convicted of bribery in an election, or of any infamous offence.

Resolved, That the annexed proposition be referred to the Committee on the Bill of Rights and Qualification of Voters.

A. WATSON.

Adopted and referred to the Committee in conformity with the resolution annexed.

Mr. BEACH submitted the following resolution, which was adopted:

Resolved, That the Committee on the Executive and Judiciary, be instructed to inquire into the expediency of so providing in the Constitution that Judges shall hereafter be chosen by the General Assembly, on the nomination of the Executive.

On motion the Convention adjourned until 12 o'clock to-morrow.

—o—

THURSDAY, Feb. 25th, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. WEBB submitted an Ordinance entitled "An Ordinance to provide for the relief of persons holding State or other securities within the Rebel lines from which no interest has been received."

Mr. WING moved that the Ordinance be laid on the table and printed.

The subject was debated by Messrs. Wing and Webb in the affirmative, and Messrs. Beach, Downey and Hawxhurst in the negative.

Mr. BEACH asked for a division of the question, as he wished to vote to lay on the table and against the proposition to print. The request being granted the question was then put on the first clause to lay on the table—and adopted.

The question then being called on the second clause---to print it was adopted, ayes 8 ; nays 7.

On motion the Convention adjourned until Tuesday, March 1st, 1864.

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TUESDAY, March 1st, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. WATSON, Chairman of the Committee on the Bill of Rights and Qualification of Voters, submitted the following report, which was laid on the table and ordered to be printed :

The Committee on the Bill of Rights and Qualification of Voters have had under consideration the subject of the Elective Franchise, and beg leave to report to the Convention the following as an amendment to the First Section of the Third Article of the Constitution of Virginia :

Every white male citizen of the Commonwealth of the age of twenty-one years, who has been a resident of the State for one year, and of the county, city or town, where he offers to vote for six months next preceding an election, and who has paid his previous year's tax, shall be qualified to vote for members of the General Assembly and all officers elective by the people ; but no person shall hold office or vote hereafter at any election who voted for or signed the ordinance of secession of Virginia, in the Convention which assembled at Richmond on the thirteenth day of February, eighteen hundred and sixty-one, or has held a military commission under the so-called Confederate government above the grade of Lieutenant Colonel, or who has held civil office under the so-called Confederate government, or under the State governments in rebellion against the Government of the United States, with the following exceptions, viz : Justices of the Peace, Constables, Surveyors of the Public Roads, Overseers of the Poor, Notaries Public, and Commissioners in Chancery.

All persons who have held military commissions under the so-called Confederate States of America below the grade of Colonel, shall not be qualified to hold office or vote for the space of five years after the termination of this rebellion.

Nor shall any person be qualified to hold office or vote until after the expiration of the time aforesaid, who has at any time favored the secession of Virginia from the United States, by advocating session, or voting for secession candidates for seats in the Convention which assembled at Richmond on the thirteenth day of February, eighteen hundred and sixty-one, except such as may have afterwards voted against the ratification of the ordinance of secession.

No person in the military, naval or marine service of the United States, shall be deemed a resident of this State by reason of being

stationed therein. And no person shall have the right to vote who is of unsound mind, or a pauper, or commissioned officer, soldier, seaman, or marine in the service of the United States, or who has been convicted of bribery in any election, or of any infamous offence.

A. WATSON, Chairman.

Mr. BEACH asked leave of absence for to-morrow, which, on motion of Mr. THOMAS, was granted.

On motion the Convention adjourned until to-morrow.

—o—

WEDNESDAY, March 2nd, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. MOORE, from the Committee on the Bill of Rights and Qualification of Voters, submitted the following minority report, as an amendment to the First Section of the Third Article of the Constitution of Virginia :

Every white male citizen of this Commonwealth of the age of twenty-one years, who has been a resident of the State for one year, and of the county, city, or town where he offers to vote, for six months next preceding an election, and who has paid all taxes assessed to him under the laws of this Commonwealth, shall be qualified to vote for members of the General Assembly, and all officers elective by the people, *Provided*, he shall take the oath to support the Constitution of the United States and the restored government of Virginia. But all persons holding commissions in any armed forces opposing the Government of the United States, either civil or military, all members of the Legislature, and all persons holding office under the usurped government at Richmond, shall be disfranchised unless they shall return to their allegiance within twelve months from the 13th day of February, 1864, and take the oath to support the Constitution of the United States and the restored government of Virginia; but no person in the military, naval or marine service of the United States shall be deemed a resident of this State, by reason of being stationed therein, and no person shall have the right to vote who is of unsound mind, or a pauper, or a non-commissioned officer, soldier, seaman or marine in the service of the United States, or who has been convicted of bribery in an election, or of any infamous offence.

Mr. WING submitted the following resolution :

Resolved, That a Committee of five be appointed to confer with the President of the United States on the subject of Emancipation and Compensation.

A division being called on the resolution it was adopted by the following vote:—Ayes 9; nays 4.

On motion of Mr. PENN, the President was then instructed to appoint said committee.

Mr. WING submitted the following preamble and resolution :

WHEREAS, The President of the United States has recently issued a proclamation of Amnesty to citizens of the United States engaged in the rebellion, offering pardon to all below the grade of Colonel in the armies of the so-called Confederate States upon their returning to their allegiance; and,

WHEREAS, We believe a merciless conscription is now going on by order of the so-called Confederate Congress which indicates the utter inability of the people to resist said conscription, or enable them to avail themselves of the proffered pardon and amnesty; and,

WHEREAS, We believe that an offer of amnesty and pardon to an humble subordinate, while his superior, who is possessed of absolute and despotic power over him, is excluded, will be of no effect and no avail in producing a return to their allegiance of the privates and subaltern officers of the rebel armies. Therefore,

Resolved, That a Committee of five be appointed to confer with the President of the United States with a view to urge the propriety of extending amnesty to all general officers of the rebel armies, upon the same terms offered to soldiers and officers of a lower grade.

Mr. WOOD moved to lay on the table, after which the subject was debated at some length by Messrs. Downey, Penn, Hawxhurst, and Watson in the negative, and Mr. Wing in the affirmative.

Mr. WEBB desired that the gentleman from Elizabeth City (Mr. Wood) should withdraw his motion to lay on the table, in order that the subject might be definitely settled at once.

The motion was withdrawn, and the question was then put on the adoption of the preamble and resolution, and they were lost.

On motion the Convention then adjourned until to-morrow

—o—
THURSDAY, March 3rd, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. PENN called up the ordinance fixing the number and compensation of officers of the Convention, and moved to amend by striking out all that portion of the second section after the words "shall be," and insert the words "eight dollars."

After some debate, on motion of Mr. HAWXHURST the ordinance was laid on the table, whereupon

Mr. WING offered the following resolution as a substitute :

Resolved, That the Secretary of the Convention is hereby authorized to employ an assistant at a salary of not more than four dollars per day.

After some debate the resolution was adopted.

Mr. WEBB offered the following resolution, which was also adopted :

Resolved, That the pay of the Sergeant-at-Arms and the Door-keeper of this Convention shall be the same as allowed by the House of Delegates.

On motion the Convention then adjourned until to-morrow.

—o—
FRIDAY, March 4th, 1864.

Convention met at 12 o'clock, M.

The President being detained at his rooms from indisposition, the Convention was called to order by the Secretary, who notified

the members that it would be necessary to elect a President *pro tempore*, whereupon,

On motion of Mr. PENN, Mr. WEBB was called to the chair.

The minutes of the previous meeting were then read and approved.

Mr. BEACH, Chairman of the Committee on the Executive Department and Judiciary, submitted the report of the Committee of which he is Chairman, which was laid on the table and ordered to be printed.

The President then announced the following special Committee of five to confer with the President of the United States on the subject of Emancipation and Compensation, in conformity with a resolution previously passed, viz: Messrs. Wing, Watson, Beach, Gover and Webb.

Mr. BEACH desired to be excused from acting as a member of said committee, and stated his objections to its formation.

Mr. PENN stated that he had voted for the resolution creating the Committee, but would not move for a re-consideration in the absence of its author.

Mr. DOWNEY then moved a re-consideration of the resolution, which motion was adopted.

Mr. BEACH moved to lay the whole subject on the table until a full house was present. Adopted.

On motion the Convention then adjourned until Monday, March 7th, 1864.

MONDAY, March 7th, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. WATSON, on behalf of the Chairman of the Committee on Emancipation and Education (Mr. WING) submitted an Ordinance abolishing and forever prohibiting slavery within the limits of the State.

It was read, and on motion of Mr. WEBB was laid on the table and ordered to be printed, and made the special order of Thursday next.

The President presented a petition from James W. Brownley, of Portsmouth, contesting the seat of George R. Boush, whereupon

Mr. THOMAS submitted the following resolutions, which were adopted:

Resolved, That a Committee of five be appointed to examine into the claims of James W. Brownley to a seat in this Convention, and that they be requested to report on the same at as early a day as practicable.

2. That the private letters of George R. Boush to J. H. Burroughs, of Portsmouth, Va., and the affidavits of J. W. Tucker, which have been sent to the President of this Conven-

tion, to be used in contesting the seat of George R. Boush, be placed in the hands of said Committee for its examination.

The President announced the following named gentlemen as the special committee:—Messrs. Webb, Moore, Wood, Beach and Downey.

On motion of Mr. WATSON the Bill of Rights previously reported was taken up and read, and afterwards made the special order for Monday next.

Mr. BEACH moved that the report of the Committee on the Executive Department and Judiciary be made the special order for Friday next. The motion was concurred in.

On motion the Convention adjourned until to-morrow.

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TUESDAY, March 8th, 1864.

Convention met 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. WATSON stated that as the Report of the Committee on Emancipation was not thought to be as perfect as it might be made, he moved to recommit to the Committee. The motion was concurred in.

On motion of Mr. HAWKHURST the Committee was then instructed to report by Thursday next.

Mr. DOWNEY submitted an Ordinance defining treason, and for the punishment of the same, which was laid on the table and ordered to be printed.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow.

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WEDNESDAY, March 9th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. WATSON, in behalf of the Chairman of the Committee on Emancipation and Education, submitted the following report:

“Your Committee on Emancipation beg leave to introduce the following as a part of the Constitution of Virginia, to be inserted in the same under the caption of “SLAVERY OR FREEDOM:”

§ 1. Slavery and involuntary servitude (except for crime) is hereby abolished and prohibited in the State forever.

§ 2. Courts of competent jurisdiction may apprentice minors of African decent on like conditions provided by law, for apprenticing white children.

§ 3. The General Assembly shall make no law establishing slavery or recognizing property in human beings.

W. W. WING, <i>Chairman</i> ,	} Committee.
R. B. WOOD,	
PHILIP G. THOMAS,	
A. WATSON,	
S. FERGUSON BEACH,	

Laid on the table, and on motion of Mr. WEBB was made the special order for to-morrow.

Mr. DOWNEY submitted the following resolutions, which were laid on the table and ordered to be printed :

Resolved, That the money or monies obtained from the sales of confiscated property, shall be applied *first*, to the payment of loyal persons for all the losses they have sustained by and through this rebellion; *second*, to be applied to free school purposes; *third*, if a surplus, it shall be applied to the payment of the State debt, or on internal improvements.

2nd.—That the Legislature shall provide by law for the same at the first session after the adoption of this Constitution.

Mr. DOWNEY also offered the following resolutions, which were referred to the Committee on Education :

Resolved, That the Legislature shall as soon as conveniently may be, provide by law, for a general system of education throughout the State, in such a manner that the poor may be taught gratis.

2nd.—That the arts and sciences shall be promoted in one or more seminaries or colleges of learning.

Mr. WEBB, Chairman of the Special Committee on the contested seat of Mr. George R. Boush, made the following report, which was unanimously adopted :

“The Committee to whom was referred the claim of James W. Brownley, Esq., of Portsmouth, to a seat in this Convention in place of George R. Boush, beg leave to report that they have examined carefully the papers filed, and are of the opinion that Mr. J. W. Brownley is not entitled to a seat in this Convention.

L. W. WEBB, <i>Chairman</i> ,	} Committee.
R. B. WOOD,	
WM. P. MOORE,	
JAMES M. DOWNEY,	
S. FERGUSON BEACH,	

Mr. DOWNEY submitted an Ordinance providing for amendments to the Constitution by the Legislature after the year one thousand eight hundred and seventy. Laid on the table and ordered to be printed by the following vote : ayes 7 ; nays 5.

Mr. HAWKHURST then moved to take up the ordinance previously introduced by the gentleman from Loudoun (Mr. DOWNEY), defining and punishing treason, and submitted a substitute for the same.—The subject was debated at some length by Messrs. Hawxhurst, Penn, Downey and Webb, after which it was laid on the table, ordered to be printed and made the special order of Tuesday next.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow.

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THURSDAY, March 10th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

The report of the Committee on Emancipation being the special order of the day, the same was taken up and read.

The subject was then debated at considerable length by Messrs. Downey, Boush, Hawxhurst and Watson in favor of its immediate adoption.

Mr. BEACH desired to make an explanation. His name did not appear on the report of the Committee on Emancipation from the fact that he was absent when the committee made its report. As he endorsed the report and should vote for its adoption, he asked that his name might be recorded with the balance of the Committee:—The request was granted and his name so recorded.

Mr. PENN said as there seemed to be no opposition, he would now move the unanimous adoption of the report.

Mr. WEBB desired the ayes and nays taken, and they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards (President), Beach, Boush, Downey, Dix, Gover, Henshaw, Hawxhurst, Penn, Thomas, Tennis, Webb, Wood, Watson, Wing.—15.

Nays—Mr. Moore.

So the report was adopted.

Mr. WATSON offered the following resolution, which was adopted :

Resolved, That a committee of three be appointed to wait upon Gen. Slocum and request that a salute be fired in honor of the passage of the act of emancipation.

The PRESIDENT appointed the following named gentlemen as said committee:—Messrs. Watson, Penn and Gover.

Mr. DOWNEY submitted the following resolution, which was also adopted :

Resolved, That a special committee of five members be appointed to prepare a schedule of the Constitution.

On motion the Convention then adjourned until 11 o'clock, A. M., to-morrow.

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FRIDAY, March 11th, 1864.

Convention met at 11 o'clock, A. M.

The minutes of the previous meeting were read and approved.

The Report of the Committee on the Executive Department and Judiciary being the special order of the day, the same was taken up for consideration. As many members were unavoidably absent

Mr. WEBB moved to postpone the consideration of the Report until Wednesday next. The motion was concurred in.

On motion the Convention then adjourned until Monday next at 10 o'clock, A. M.

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MONDAY, March 14th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

The Report of the Committee on the Bill of Rights being the special order of the day, the same was called up and read, after

which, on motion of Mr. WATSON, the same was unanimously adopted.

Mr. WATSON then called up the Report of the Committee on the Qualification of Voters, after the reading of which he submitted the following amended Report:

The Committee on the Bill of Rights and Qualification of Voters have had under consideration the subject of the Elective Franchise, and beg leave to report to the Convention the following as an amendment to the First Section of the Third Article of the Constitution of Virginia:

Every white male citizen of the Commonwealth of the age of twenty-one years, who has been a resident of the State for one year, and of the county, city or town, where he offers to vote for six months next preceding an election, and who has paid his taxes for the preceding year, shall be qualified to vote for members of the General Assembly and all officers elective by the people; but no person shall hold office or vote hereafter at any election who voted for or signed the ordinance of secession of Virginia, in the Convention which assembled at Richmond on the thirteenth day of February, eighteen hundred and sixty-one, or has held a military commission under the so-called Confederate government above the grade of Lieutenant Colonel, or who has held civil office under the so-called Confederate government, or under the State governments in rebellion against the Government of the United States, or who has held a seat in either House of the so-called Confederate Congress, or in either House of the General Assembly of Virginia, or of any other State in rebellion against the Government of the United States since the _____ day of _____ eighteen hundred and sixty-one, with the following exceptions, viz: Justices of the Peace, Constables, Surveyors of the Public Roads, Overseers of the Poor, Notaries Public, and Commissioners in Chancery.

All persons who have held military commissions under the so-called Confederate States of America below the grade of Colonel, shall not be qualified to hold office or vote for the space of five years after the termination of this rebellion.

Nor shall any person be qualified to hold office or vote until after the expiration of the time aforesaid, who has given aid and comfort to the rebels in arms, or favored the secession of Virginia from the United States by advocating secession, or who has voluntarily borne arms against the United States, and not then until they shall take the oath of allegiance to the Government of the United States, and an oath to support the Constitution and Laws of Virginia, which oath or oaths shall be recorded in some Court of record. The rebellion shall be deemed to have terminated in three months after all the counties in the State shall have been recognized by the election and appointment of officers recognizing the Constitution of the United States as the supreme law of the land.

No person in the military, naval or marine service of the United States, shall be deemed a resident of this State by reason of being stationed therein. And no person shall have the right to vote who is of unsound mind, or a pauper, or non-commissioned officer, soldier, seaman, or marine in the service of the United States, or who has been convicted of bribery in any election, or of any infamous offence, provided, however, that officers and soldiers in the volunteer service of the United States, not disfranchised by the foregoing provisions, may vote at such places, and under such restrictions, as may be provided by law.

To ensure the execution of the above provisions the Legislature shall prepare an oath to be administered to those who offer to vote, but whose right to vote is doubtful.

A. WATSON, Chairman.

Laid on the table and ordered to be printed and made the special order for Thursday next.

Mr. PENN informed the Convention that he would, on Thursday next, when the Report should come up as the special order of the day, move to strike out so much of the same as reads "or non-commissioned officer, soldier, seaman or marine in the service of the United States."

Mr. DOWNEY then submitted the following amendment to the Report of the Committee on the Qualification of Voters :

After the end of the third line strike out the word "six" and insert "one month ;" in the next line after the word "election" insert "but a citizen of the United States who had previously been a qualified voter of this State, and removed therefrom and returned, and who shall have resided in the election district, and paid his taxes as aforesaid, shall be entitled to vote after residing in the State six months." Again the words "five years" to be made "ten years." After the words "voting for (original) secession candidates" to read after the words "officer and soldier" "except in time of a rebellion or invasion."

Laid on the table and ordered to be printed, and made the special order of Thursday next.

On motion the Convention adjourned until 11 o'clock A. M., tomorrow.

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TUESDAY, March 15th, 1864.

Convention met at 11 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. DOWNEY, Chairman of the Committee on the Legislative Department, submitted the report of the said Committee, which was read.

Mr. HAWKHURST moved to lay on the table and have the same printed, and make it the special order of Friday next.

Mr. WEBB objected to the printing of the twenty-ninth Section of the Report, and moved to amend by striking out that portion of it. The motion was lost by a vote of ayes 4, nays 8.

The question then recurring on the motion of the gentleman from Fairfax (Mr. HAWKHURST) the same was concurred in.

Mr. WATSON called up the ordinance defining treason, introduced by the gentleman from Loudoun, (Mr. DOWNEY) and the substitute therefor submitted by the gentleman from Fairfax (Mr. HAWKHURST.) The subject was debated at some length by Messrs. Downey, and Hawxhurst in the affirmative, and Messrs. Webb, Boush and Penn in the negative.

Pending the consideration of the subject, the Convention adjourned until 11 o'clock, A. M., to-morrow.

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WEDNESDAY, March 16, 1864.

Convention met at 11 o'clock, A. M.

The minutes of the previous meeting were read and approved.

On motion of Mr. WATSON the unfinished business of yesterday was suspended and the special order of the day—the Report of the Committee on the Executive Department and Judiciary—was taken up and considered.

Mr. BEACH submitted the following resolution, which was unanimously adopted:

Resolved, That every report made by a standing Committee shall be considered and be open to amendment, Section by Section, but the vote on the passage of any Section or clause shall not be final. The question shall recur on the passage or adoption of the whole as amended, and motions to strike out and insert shall be in order.

The first Section of the Report was then taken up and adopted without amendment.

The second Section was then taken up.

Mr. HAWKHURST moved to amend by adding after the word "majority" in the fourteenth line the words "of members elected to."

Mr BEACH offered an amendment to the amendment, viz: After the words "presence of" in the fourteenth line strike out the words "a majority of."

The question recurring on the amendment to the amendment the same was adopted—ayes 9; nays 2.

Mr. DOWNEY offered the following amendment, which was lost:

In the eleventh line of the second Section strike out the words "on the first day" and add "as soon as a Speaker shall be elected at the next session."

The second Section of the Report as amended was then adopted :

The third Section of the Report was then taken up.

Mr. BOUSH moved to amend by striking out the word " five " after the word " for " in the twenty-fourth line and substitute therefor the word " four."

The amendment was lost, and the Section then adopted.

The fourth, fifth, sixth, seventh, eighth and ninth Sections were then adopted without amendment.

The tenth Section being under consideration,

Mr. DOWNEY moved to amend by adding after the word " vote" in the seventy-fifth line the words " except when the Senate is a tie."

The amendment was lost and the Section as originally reported was then adopted.

The eleventh Section was then taken up.

Pending the consideration of the eleventh Section a motion to adjourn was made and lost.

Mr. BEACH then offered the following amendment, which was lost :

" The salary of the Secretary shall not be less than \$1800 per annum ; the salary of the Treasurer shall not be less than \$1800 per annum ; and the salary of the Auditor shall not be less than \$2400 per annum," the same to be inserted at the end of the eleventh Section.

Mr. PENN moved to amend by striking out the word " two " after the word " of " in the eightieth line of the eleventh Section, and insert the word " four."

The amendment was lost by a vote of ayes 5 ; nays 8.

The eleventh, twelfth and thirteenth Sections were then adopted.

The Convention then adjourned until 10 o'clock, A. M., to-morrow.

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THURSDAY, March 17th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

On motion of Mr. WEBB the special order of the day—the Report of the Committee on the Elective Franchise—was suspended, and made the special order of Monday next.

On motion of Mr. WATSON the Ordinance defining and punishing treason was made the special order of to-morrow.

Mr. WATSON submitted an ordinance relative to the proceeds of confiscated property, which was laid on the table and ordered to be printed.

Mr. BEACH called up the Report of the Committee on the Legislative Department and Judiciary, and the fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth sections were adopted without amendment.

JUDICIARY DEPARTMENT.—The first section of the Report of the Committee in regard to the appointment of Judges was objected to by Messrs. Hawxhurst, Downey and Watson. The subject was debated at some length, after which it was adopted by the following vote :

Ayes—Messrs. LeRoy G Edwards, (President), Beach, Boush, Gover, Henshaw, Moore, Penn, Webb.—8.

Nays—Messrs. Downey, Dix, Hawxhurst, Thomas, Tennis, Wood, Watson —7.

The second section of the Report was then taken up and adopted, Mr. WEBB being excused from voting on the same.

The third, fourth and fifth sections were adopted without amendment.

The sixth section being under consideration, Mr. WEBB offered the following amendment:

In the 71st line of the sixth section strike out the words "eight years" and substitute "four years." In the 73rd line of the same section, after the word "age," insert the following, "and has been a citizen of the State for five years next preceding his election."

Mr. WATSON called for a division of the question, which was granted.

The question then being taken on the amendment to the seventy-first line, it was rejected.

Mr. HAWXHURST moved to amend the amendment by striking out the word "five" and inserting the word "two."

The amendment to the amendment was lost. The question then recurring on the amendment it was rejected by the following vote—*ayes* 7 ; *nays* 8.

The sixth section was then adopted.

By general consent the seventh section was not taken up.

The eighth and ninth sections were then taken up and adopted.

The tenth section being under consideration Mr. WEBB moved to amend by adding after the word "age," in the ninety-fifth line, the words "and and a citizen of the State for twelve months."

Mr. WATSON moved to amend the amendment by adding "and shall have resided in the State one year next preceding his election."

The *ayes* and *nays* being demanded on the amendment to the amendment, they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards (President), Dix, Gover, Henshaw, Hawxhurst, Moore Penn, Tennis, Webb, Wood, Watson.—11.

Nays—Messrs. Beach, Boush, Downey, Thomas,—4.

So the amendment to the amendment was adopted.

The tenth section, as amended, was then adopted.

A motion to reconsider the sixth section being sustained,

Mr. WEBB moved to amend the same by adding after the word "age," in the seventy-third line, the words "and shall have resided in the State one year next preceding his election."

The amendment was adopted, and the section as amended re-adopted.

On motion the Convention took a recess until 3 o'clock, P. M.

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3 o'clock, P. M.—Convention met and resumed the consideration of the Report of the Committee on the Judiciary Department.

Sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty were adopted.

Mr. HAWKHURST moved to amend the twenty-first section by inserting after the word "governor" in the one hundred and eighty-first line the words "and receive two thousand dollars for each years' service," and in the one hundred and eighty-second line strike out the words "and receive such compensation."

The amendment was rejected, and the section adopted as originally reported.

Sections twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven and twenty-eight were then adopted without amendment.

Mr. WEBB moved to amend the two hundred and twenty-fourth line of the twenty-ninth section by striking out the word "two" after the word "for" and insert the word "four."

The ayes and nays being demanded they were recorded as follows:

Ayes—Messrs. LeRoy G. Edwards (President), Henshaw, Moore, Penn, Tennis, Wood, Webb.—7.

Nays—Messrs. Beach, Boush, Downey, Dix, Gover, Hawxburst, Thomas.—7.

The amendment being lost the section was then adopted as originally reported.

Sections thirty, thirty-one and thirty-two were adopted without amendment.

By general consent the consideration of section thirty-three was postponed.

Section thirty-four was then adopted.

On motion of Mr. BEACH the whole Report was then laid on the table.

On motion the Convention adjourned until 10 o'clock, A. M., tomorrow.

FRIDAY, March 18th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. WEBB submitted the following preamble and resolutions, which were laid on the table and ordered to be printed :

WHEREAS, It is of great importance to the people of Virginia, that they should be sustained by the Government of the United States, and

WHEREAS, The constant interference with the civil authority of the Restored Government of Virginia by the military authorities, causes great dissatisfaction on the part of our loyal citizens ; therefore

Resolved, That a Committee of this Convention, in conjunction with the Governor, be appointed to wait upon the President, and ask him to fix a period when an interview can be had with him and his Constitutional advisers, to ascertain whether it is the interest of the General Government to sustain the civil authority, or whether the civil is to become, as it is now, subordinate to the military, with a view that the Convention may take such action as they may deem expedient.

On motion of Mr. DOWNEY the Report of the Committee on the Legislative Department was postponed and made the special order for Wednesday next.

The special order of the day, the ordinance defining and punishing treason, and the substitute therefor, was then taken up.

Mr. DOWNEY accepted the substitute for the original ordinance submitted by him.

The substitute then being under consideration,

Mr. DOWNEY moved to amend by adding after the word "State" in the second line, the words "committed in this Commonwealth."

The whole subject was debated at considerable length by Messrs. Beach, Webb, Wing and Penn in the negative, and Messrs. Hawxhurst, Downey and Watson in the affirmative.

Mr. WEBB moved an indefinite postponement of the whole subject, but afterwards withdrew it.

Mr. HAWXHURST moved to adjourn. Lost by a vote of ayes 6 ; nays 9.

Mr. DOWNEY withdrew his amendment.

Mr. WEBB then moved the previous question, but withdrew it in order to have a further expression of opinion on the subject.

Mr. WATSON moved to amend by striking out after the word "Commonwealth," in the second line, the words, "or against the United States," and in the same line to change the word "their," to "its."

The amendment was lost by the following vote:—ayes 7 ; nays 8.

The question then recurring on the adoption or rejection of the substitute, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Downey, Dix, Gover, Henshaw, Hawxhurst, Watson ---6.

Names—Messrs. LeRoy G. Edwards. (President), Beach, Boush, Moore, Penn, Thomas-Tennis, Webb, Wing, Wood.—-FO.

So the substitute was rejected.

The President announced the appointment of LYSANDER HILL as Reporter for the Convention.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow.

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SATURDAY, March 19th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

On motion of Mr. WATSON the ordinance relative to the application of funds received from the sale of confiscated property, was taken up and considered.

Mr. HAWKHURST moved to amend by adding after the word "State" in the eighteenth line the words, "provided such owners have given active proof of their loyalty to the Government of the United States."

The amendment was accepted.

Mr. WOOD moved to amend by inserting after the word "State" the words, "and the loss of time by imprisonment."

The amendment was adopted.

Mr. WEBB offered the following as a substitute for the first section :

Ist.—To the payment of all loyal citizens or non-combatants, for losses sustained either by imprisonment, loss of property both real and personal, together with the loss of slaves, and who shall give satisfactory evidence of their loyalty to the Government of the United States, or evidence of their neutrality.

The substitute was withdrawn, whereupon

Mr. WEBB moved that the Convention resolve itself into a Committee of the Whole on the consideration of the ordinance.

The motion was sustained, and Mr. GOVER called to the chair.

Mr. WATSON moved to amend by striking out the amendment of the gentleman from Fairfax (Mr. HAWKHURST), and insert the following after the word "imprisonment :"

"Provided such claimants have not been disloyal to the State or the Government of the United States; but if minors under twelve years of age no evidence of disloyalty shall debar them from the benefits of this ordinance."

The amendment was debated at some length, but no conclusion being arrived at the Committee arose and reported.

Mr. DOWNEY then offered the following resolution, which was adopted :

Resolved, That a special Committee of five be appointed to whom this ordinance shall be referred, with accompanying papers.

Mr. WOOD offered the following resolution, which was adopted :

Resolved, That this Convention will, on Monday next, and daily thereafter, hold afternoon sessions, commencing at 3 o'clock.

Mr. THOMAS moved a re-consideration of the question, which motion was adopted, whereupon

Mr. WATSON offered the following as a substitute for the same :

Resolved, That this Convention do now adjourn to meet at 9 1-2 o'clock, A. M., on Monday next.

The substitute was adopted and the Convention then adjourned.

—o—

MONDAY, March 21st, 1864.

Convention met at 10 o'clock, A. M.

The President being absent from the city, Mr. HAWKHURST, of Fairfax, on motion of Mr. PENN, was elected President *pro tempore*.

The minutes of the previous meeting were read and approved.

Mr. WING submitted a communication relative to the disposition of funds received from the sale of lands for school and religious purposes, and asked that it be referred to the Committee on Education. It was so referred.

Mr. WATSON submitted an amended ordinance relative to the application of the proceeds derived from the sale of confiscated property, which was laid on the table and ordered to be printed.

Mr. BOUSH submitted the following resolution, which was adopted :

Resolved, That the President be authorized to adjourn this Convention *sine die* on the 29th day of the present month, at 12 o'clock, M.

On motion of Mr. PENN the special order of the day—the Report of the Committee on the Qualification of Voters—was taken up and considered.

Mr. WOOD submitted a substitute for the Report.

Mr. DOWNEY moved to amend the substitute by striking out the word "six" in the third line and inserting the word "three."

The amendment was lost.

Mr. WATSON then submitted the following amendment :

"No one shall hold office or vote who has favored the rebellion by act or word since the first day of January, 1862, or who voted for or signed the ordinance of secession of Virginia in the Convention which assembled in Richmond on the 13th day of February, 1861, or who has voluntarily borne arms since the commencement of the rebellion." Also to strike out the words allowing the Executive to pardon.

Mr. BEACH moved to lay both the amendment and the substitute on the table, and have them printed. The motion was concurred in.

Mr. WATSON moved to make the substitute and the amendment the special order for to-morrow, which motion was also concurred in.

Mr. WATSON moved to re-consider the vote making the Report of the Committee on the Legislative Department the special order for Wednesday next, in order that it might be taken up now. The motion was lost.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow.

—o—

TUESDAY, March 22, 1864

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

On motion of Mr. WING the special order of the day—the Report of the Committee on the Qualification of Voters and the substitute therefor—was taken up.

The substitute being under consideration Mr. WEBB moved to amend the fifteenth line by inserting after the word "vote" the words "or hold office."

The PRESIDENT declared the amendment out of order, as the amendment by the gentleman from Accomac (Mr. WATSON,) was pending.

Mr. DOWNEY moved to go into Committee of the Whole on the consideration of the Report and the substitute, but the motion was not sustained.

The amendment of the gentleman from Accomac (Mr. WATSON,) was then taken up and considered, and rejected by a vote of ayes 4; nays 10.

The question then recurring on the adoption of the amendment of the gentleman from Norfolk (Mr. WEBB), viz: To insert after the word "vote" in the fifteenth line the words "or hold office," the same was adopted.

Mr. DOWNEY moved to amend the eighteenth line by inserting after the word "State," the words "or who voted for avowed secession candidates to the Convention of 1861."

The amendment was lost by a vote of ayes 4; nays 9.

Mr. WING moved to amend the fifteenth line by striking out the words "has held" and inserting the words "now holds."

The ayes and nays being demanded on the amendment they were recorded as follows.

Ayes—Messrs. LeRoy G. Edwards, (President,) Dix, Moore, Penn, Webb, Wing—6.

Nays—Messrs. Beach, Boush, Downey, Gover, Henshaw, Hawxhurst, Thomas, Tennis, Wood, Watson—10.

So the amendment was lost.

Mr. HENSHAW moved to amend the fifteenth line by inserting after the word "office" the words "or who shall have given aid or comfort to rebels in arms, by word, deed or act since the 4th day of July, 1862."

The ayes and nays being demanded they were recorded as follows:

Ayes—Messrs. Downey, Dix, Gover, Henshaw, Hawxhurst, Wood, Watson—7.

Nays—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Moore, Penn, Thomas, Tennis, Webb, Wing—9

So the amendment was lost.

Mr. BOUSH moved to amend the first line by striking out the words "and who has paid all taxes assessed to him under the laws of the Commonwealth after the re-organization of the county, city or town where he offers to vote."

The amendment was lost.

Mr. HAWXHURST moved a re-consideration of the vote rejecting the amendment of the gentleman from Accomac, (Mr. WATSON,) in order that the ayes and nays might be recorded. The motion was sustained.

As the amendment contained two distinct propositions, Mr. DOWNEY called for a division, which was granted.

The ayes and nays then being called on the first clause or proposition, it was rejected by the following vote:

Ayes—Messrs. Downey, Dix, Gover, Henshaw, Hawxhurst, Wood, Watson—7.

Nays—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Moore, Penn, Thomas, Tennis, Webb, Wing—9.

The ayes and nays being then called on the second clause or proposition they were recorded as follows:

Ayes—Messrs. Beach, Downey, Dix, Gover, Henshaw, Hawxhurst, Tennis, Wood, Watson—9.

Nays—Messrs. LeRoy G. Edwards, (President,) Boush, Moore, Penn, Thomas, Webb, Wing—7.

So the amendment was adopted.

Mr. BEACH moved to adjourn, but the motion was not sustained.

Mr. WATSON then moved to amend by striking out the fourth Section, which motion was lost by a vote of ayes 3; nays 7.

Mr. DOWNEY moved to amend the eighteenth line by inserting after the word "State" the words, "or any person now in arms or giving aid and comfort to the enemies of the United States."

Mr. WATSON moved to amend the amendment by inserting the word "voluntarily" after the word "now."

The amendment to the amendment was accepted.

On motion the Convention then adjourned.

WEDNESDAY, March 23rd, 1844.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. BEACH moved to postpone the consideration of the Report of the Committee on the Legislative Department, in order that the Report of the Committee on the Judiciary might be taken up and completed. The motion was concurred in.

The seventh section of the Report was then taken up and adopted.

Mr. WEBB moved to strike out the entire thirty-third section.—The motion was concurred in by a vote of ayes 9; nays 7.

On motion of Mr. BEACH the fifth Section of the Report was re-considered, after which he moved to amend the sixty-eighth line by striking out the words "increased or" after the word "be."

The amendment was adopted, and the Section as amended re-adopted.

Mr. HAWKHURST submitted the following as an additional Section to the Report:

SEC. 35. No testimony shall be excluded from any Court in this Commonwealth on account of the color of the witness.

The ayes and nays being demanded they were recorded as follows:

Ayes—Messrs. Beach, Boush, Hawkhurst --3.

Nays—Messrs. LeRoy G. Edwards, (President), Downer, Dix, Gover, Henshaw, Moore Penn, Thomas, Tennis, Webb, Wing, Wood, Watson.--13.

So the proposition was rejected.

On motion of Mr. BEACH the Report as amended was then adopted.

On motion of Mr. WATSON the ordinance providing for the application of funds received from the sale of real estate by the General Government under the direct tax law, was taken up and considered.

Mr. WATSON moved to amend the forty-seventh line by inserting after the word "Commissioner" the following—"shall be paid out of any money received from the Government under any act of Congress appropriating money to the use of Virginia, or accruing to the State from confiscation or other purposes."

Mr. BEACH offered the following substitute for the amendment, which was accepted:

In the fifty-seventh line strike out the words, "any money not otherwise appropriated by the State" and insert, "the fund hereby intended to be appropriated."

Mr. WEBB then moved to amend the substitute by inserting the following—"Provided, further, that no Commissioner shall be appointed or receive any compensation until after the money shall come into the Treasury of the State."

Mr. WATSON moved to amend the amendment to the substitute by striking out the words "be appointed or."

The amendment to the amendment was lost.

Mr. WATSON then moved to amend the amendment by striking out that portion forbidding the appointment of Commissioners until the said funds come into the possession of the State.

The amendment to the amendment was lost.

The question then recurring on the amendment to the substitute it was adopted.

Mr. MOORE moved to amend by inserting at the end of the ordinance the following :

“ No member of this Convention shall be a Commissioner.”

The amendment was adopted.

Mr. BOUSH moved an indefinite postponement of the ordinance.

Mr. WEBB moved the previous question, which was sustained.

Mr. BOUSH withdrew his motion for an indefinite postponement, in order that the main question might be voted upon.

The question then recurring on the adoption or rejection of the ordinance, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards, (President), Downey, Gover, Hawshurst, Penn, Wood, Watson.—8.

Nays—Messrs. Beach, Boush, Dix, Moore, Thomas, Tennis, Webb, Wing.—8.

So the ordinance was rejected.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow.

—o—

THURSDAY, March 24th, 1864.

Convention met at 11 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. WING, Chairman of the Committee on Education, submitted a Report, which was laid on the table and ordered to be printed.

Mr. WING submitted an ordinance fixing the *per diem* of members and officers of the General Assembly, which was also laid on the table and ordered to be printed.

Mr. MOORE submitted the following resolution, which was laid over under the rules and ordered to be printed.

Resolved, That the Constitution which may be adopted by this Convention, shall be submitted to a vote of the people on the 4th Thursday of May next, for their adoption or rejection, and it shall be the duty of the Commissioners holding the Election to propound to each voter the question “ Do you vote for or against the adoption of the Constitution ? ” A record of which vote shall be taken and returned to the Secretary of the Commonwealth at Alexandria immediately.

Mr. WEBB called up the resolution providing for the appointment

of a Committee to wait upon the President with a view to a better understanding between the military and civil authorities of this State.

Mr. WING submitted the following resolution:

Resolved, That a Committee of five be appointed to prepare an address to the President of the United States upon the subject of Emancipation and Compensation to loyal owners.

The resolution laid over under the rules, and ordered to be printed.

On motion of Mr. DOWNEY the Report of the Committee on the Legislative Department was taken up.

Mr. WEBB, on behalf of Mr. STONE, submitted a minority Report.

On motion of Mr. WING the Convention agreed to take up and consider both Reports, section by section. The motion was concurred in.

The first and second sections of the Report were then taken up and adopted.

The third section being under consideration, Mr. HAWXURST moved to amend by striking out the word "citizens" in the second line and inserting the word "voters."

The amendment was concurred in, and the section as amended was then adopted.

The fourth and fifth sections of the Report were then adopted.

The sixth section being under consideration Mr. WING moved to amend by striking out the word "white" in the fifth line.

The ayes and nays being demanded on the amendment, they were recorded as follows:

Ayes—Messrs. LeRoy G. Edwards, (President,) Boush, Dix, Moore, Penn, Thomas, Tennis, Webb, Wing—9

Nays—Messrs. Beach, Downey, Gover, Henshaw, Hawxhurst, Wood, Watson—7.

The amendment was concurred in, and the section as amended was then adopted.

The seventh section was then adopted.

The eighth section being under consideration Mr. WATSON moved to amend the first line by striking out the word "annually" and inserting the word "biennially."

The ayes and nays being demanded on the amendment they were recorded as follows:

Ayes—Messrs. Dix, Gover, Henshaw, Moore, Webb, Watson—6.

Nays—Messrs. LeRoy G. Edwards, (President), Beach, Boush, Cowney, Hawxhurst, Penn, Thomas, Tennis, Wing, Wood—10.

So the amendment was lost.

Mr. WATSON then moved to amend by inserting after the word "annually" in the first line the words, "during the present rebellion."

The ayes and nays being demanded on the amendment they were recorded as follows :

Ayes—Messrs. Dix, Henshaw, Moore, Thomas, Webb, Watson—6.

Nays—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Downey, Gover, Hawxhurst, Penn, Tennis, Wing, Wood—10.

So the amendment was lost, and the eighth section then adopted as originally reported.

On motion the Convention then took a recess until 3 o'clock, p. m.

AFTERNOON SESSION.—The Convention convened at 3 o'clock and resumed the consideration of the Report on the Legislative Department.

The **PRESIDENT** announced the following special Committee to prepare a schedule for the Constitution, viz: Messrs. Downey, Beach, Webb, Wing and Penn.

The ninth, tenth and eleventh sections of the Report were then considered and adopted.

Mr. **WEBB** moved the adoption of the thirteenth section of the minority report in place of the twelfth section of the majority report. The motion was concurred in, and the thirteenth section adopted.

The fourteenth section of the majority report was then adopted.

Mr. **WEBB** moved to amend the second line of the sixteenth section of the minority report by inserting the words "except in cases of rebellion or invasion" after the word "suspended." The amendment was lost.

Mr. **WEBB** then moved the adoption of the sixteenth section of the minority report. The ayes and nays being demanded they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Dix, Moore, Thomas, Tennis, Webb, Wing, Wood—10

Nays—Messrs. Downey, Gover, Henshaw, Hawxhurst, Penn, Watson—6.

So the sixteenth section of the minority report was adopted.

The seventh section of the minority report was then adopted by a vote of ayes 9 ; nays 7

The eighteenth and nineteenth sections of the majority report were then adopted.

On motion of Mr. **WING** the twenty-first section of the minority report was then adopted as the twentieth section of the majority report.

The twenty-first section of the majority report being under consideration, Mr. **WING** moved to strike out all after the word "issue in the fifth line of the same.

The amendment was concurred in, and the section then adopted as amended.

The twenty-second section of the majority report was then adopted.

The twenty-seventh section of the old Constitution was then adopted as the twenty-third section of the majority report.

The twenty-fourth section of the majority report was then adopted.

Pending the consideration of the twenty-fifth section the Convention adjourned until 11 o'clock, A. M., to-morrow.

—o—

FRIDAY, March 25, 1864.

Convention met at 11 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. BEACH submitted the following resolution, which was adopted:

Resolved, That the pay of the Janitor be increased so as to be equal to that of the Door-Keeper, to date from the commencement of the session.

Mr. BUSH called up the report previously submitted by the gentleman from Norfolk, (Mr. WING,) relative to funds arising from the sale of lands and other property granted or entrusted to the State for educational and religious purposes, and moved the printing of the same. The motion was concurred in.

Mr. WING asked leave to have his name recorded in the affirmative on the adoption of the emancipation provision of the Constitution. The request was granted, and his name so recorded.

On motion of Mr. WEBB, the consideration of the twenty-fifth section of the Report of the Committee on the Legislative Department was resumed.

Mr. DOWNEY moved to amend the first line by striking out the words "are hereby made a commission," and inserting—"It shall be the duty of the Governor to appoint three Commissioners." Also, to strike out in the fifth and sixth lines the words, "the Governor shall have power to fill any vacancies that may occur."

The ayes and nays being demanded on the amendment they were recorded as follows:

Ayes—Messrs. Beach, Downey, Gover, Henshaw, Hawxhurst, Watson—6.

Nays—Messrs. LeRoy G. Edwards, (President), Boush, Dix, Moore, Penn, Thomas, Tennis, Webb, Wing, Wood—10.

So the amendment was rejected.

Mr. WING moved to strike out the twenty-fifth section.

Mr. BUSH moved the previous question.

The ayes and nays being demanded on the previous question they were recorded as follows:

Ayes—Messrs. LeRoy G. Edwards, (President,) Boush, Dix, Gover, Henshaw, Moore, Tennis, Webb, Wing, Wood—10.

Nays—Messrs. Beach, Downey, Hawxhurst, Penn, Thomas, Watson—6.

So the previous question was sustained.

The question then recurring on the main question, to strike out the twenty-fifth section, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Dix, Gover, Henshaw, Moore, Penn, Thomas, Tennis, Webb, Wing, Wood—13.

Nays—Messrs. Downey, Hawxhurst, Watson—3.

So the twenty-fifth section was stricken out.

The twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth sections were then adopted.

Mr. WING moved to strike out the thirty-first section, but withdrew the motion, and the section was adopted.

The thirty-second section was then adopted.

Mr. WING moved to strike out the thirty-third section, which motion was concurred in.

The thirty-fourth section being under consideration, Mr. WING moved to amend the fourth line by inserting after the word "elections" the words "by the General Assembly." The amendment was concurred in, and the section as amended adopted as the thirty-third section of the Report.

Mr. BEACH then offered the following as the twenty-fifth section of the Report, which was laid on the table and ordered to be printed :

SEC. 25. The General Assembly shall provide by law for adjusting with the State of West Virginia, the proportion of the public debt of Virginia, proper to be borne by the State of Virginia and of West Virginia respectively ; and may authorize, in conjunction with the State of West Virginia, the sale of all stocks and other interests held by the State of Virginia in Banks, works of Internal Improvement and other Companies at the time of the formation of the State of West Virginia.

It shall not provide for the payment of any debt or obligation created in the name of the State of Virginia by the usurped and pretended State authorities at Richmond. And it shall not allow any county, city or corporation to levy or collect any tax for the payment of any debt created for the purpose of aiding any rebellion against the State or the United States.

Mr. DOWNEY moved a reconsideration of the eighth section. The motion being concurred in, he moved to amend the fifth line by striking out the word "ninety" and inserting the word "sixty."

The amendment was concurred in, and the section as amended re-adopted.

Mr. BEACH moved a reconsideration of the first section. The motion being concurred in, he moved to amend by striking out all after the word "Delegates" in the third line.

The amendment was concurred in, and the section as amended re-adopted.

On motion the Convention took a recess until three o'clock.

—o—
AFTERNOON SESSION.—The Convention re-assembled at 3 o'clock.

Mr. WEBB moved a reconsideration of the fifth Section of the Report of the Committee on the Legislative Department. The motion being concurred in, he moved to amend the eighth line by striking out the word "five" and inserting the word "ten."

The amendment was concurred in, and the Section as amended re-adopted.

Mr. WING called up the resolution of the gentleman from Norfolk (Mr. WEBB,) providing for the appointment of a Special Committee of five to wait upon the President of the United States, with a view to a better understanding between the military and civil authorities of the State, and moved their adoption.

The resolutions were debated at some length by Messrs. Wing, Webb, Boush and Thomas in the affirmative, and Messrs. Watson, Downey, Hawxhurst and Beach in the negative.

Mr. WATSON moved to adjourn, but the motion was lost.

The question then recurring on the adoption or rejection of the resolutions, they were lost by a vote of ayes 5; nays 11.

On motion the Convention adjourned until 11 o'clock, A. M., to-morrow.

—o—
SATURDAY, March 26th, 1864.

Convention met at 11 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. BOUSH moved to take up the substitute for the Report of the Committee on Education. The motion was concurred in.

The subject being under consideration, Mr. BOUSH moved to strike out the sixth Section and insert the following:

Sec. 5.—And it is hereby provided that the salary of such Superintendent so appointed or elected, shall be paid out of monies arising from donations to the State for educational purposes.

The amendment was adopted.

Mr. MOORE moved to amend the eighth line by inserting the word "white" before the word "youth."

The ayes and nays being demanded on the amendment, they were recorded as follows:

Ayes—Messrs. LeRoy G. Edwards, (President,) Dix, Gover, Moore, Penn, Thomas, Tennis, Wood, Watson—9.

Nays—Messrs. Beach, Boush, Downey, Henshaw, Hawxhurst, Webb—6.

So the amendment was adopted.

Mr. MOORE moved to amend the sixteenth line by striking out the words "absolutely free."

The amendment was withdrawn, whereupon

Mr. BOUSH moved an indefinite postponement of the whole question. The motion was sustained by a vote of ayes 10; nays 4.

Mr. DOWNEY then moved to take up the resolutions previously offered by him on the subject of education, and offered them as a substitute for the Report of the Committee on Education.

On motion of Mr. WEBB, the further consideration of the subject was postponed until Monday next, and made the special order for that day.

Mr. HENSHAW submitted an amendment to the substitute for the Report of the Committee on the Qualification of Voters, which was laid on the table and ordered to be printed, and made the special order of Tuesday next.

On motion the Convention adjourned until Monday next, at 10 o'clock, A. M.

—o—

MONDAY, March 28th, 1864.

Convention met at 10 o'clock, A. M.

The PRESIDENT being detained at his room by indisposition, Mr. HAWKHURST was elected President *pro. tempore*.

The minutes of the previous meeting were read and approved.

Mr. DOWNEY called up the Report of the Committee on Education, and submitted the following substitute for the same:

SEC. 1.—That the Legislature shall, as soon as conveniently may be, provide by law, for a general system of education throughout the State, in such a manner that the poor may be taught gratis.

SEC. 2.—That the arts and sciences shall be promoted in one or more seminaries or colleges of learning.

Mr. DOWNEY moved to amend by striking out all after the word "State" in the third line of the first section.

The amendment was concurred in.

Mr. MOORE moved to amend the second line of the first section by inserting the words "for white persons" after the word "education."

The amendment was concurred in by a vote of ayes 8; nays 6.

Mr. GOVER moved to amend the third line of the first section by inserting after the word "State" the words, "so that the youth of the State may be taught gratis."

The ayes and nays being demanded they were recorded as follows:

Ayes—Messrs. Downey, Gover, Henshaw, Hawkhurst, Penn, Webb.—6.

Nays—Messrs. Beach, Boush, Dix, Moore, Thomas, Wing, Wood, Watson.—8.)

So the amendment was lost.

The question recurring on the adoption or rejection of the substitute, the ayes and nays being demanded, they were recorded as follows:

Ayes—Messrs. Downey, Henshaw, Penn—3.

Nays—Messrs. Beach, Boush, Dix, Gover, Hawxhurst, Moore, Thomas, Webb, Wing, Wood, Watson—11.

So the substitute was rejected.

The question then recurring on the adoption or rejection of the Report of the Committee on Education, the ayes and nays being demanded, they were recorded as follows:

Ayes—Messrs. Beach, Dix, Moore, Thomas, Webb, Wing, Wood, Watson.—8.

Nays—Messrs. Boush, Downey, Gover, Henshaw, Hawxhurst, Penn.—6.

So the Report was adopted.

Mr. WING called up the ordinance fixing the *per diem* of members and officers of the General Assembly.

Mr. DOWNEY moved to amend by adding the following as an additional section of the ordinance:

“The President of the Senate and the Speaker of the House of Delegates shall each receive the sum of eight dollars per day.”

The amendment was accepted, and the ordinance then adopted.

On motion of Mr. WEBB, the Report of the Committee on the Legislative Department was taken up, and the twenty-fifth section considered.

The subject was debated at some length by Messrs. BEACH and WING in the affirmative, and Messrs. HAWXHURST and DOWNEY in the negative.

Mr. HAWXHURST moved the appointment of a special committee of three, to whom the section should be referred. The motion was lost.

Mr. WATSON then moved to amend the section by inserting after the words “West Virginia,” at the end of the first paragraph, the following:

“And no ordinance passed by the Convention which assembled at Wheeling on the 11th day of June, 1861, adjusting the public debt between Virginia and West Virginia shall be binding upon this State.”

The amendment was accepted.

Mr. BEACH then moved to amend by inserting after the words “sale of” in the fifth line, the words, “all lands and property of every description, including;” and after the word “interests” in the sixth line, the words “owned and.”

The amendments were adopted.

Mr. DOWNEY moved to amend by inserting the following :

“The Legislature shall not provide for the payment of any bonds now held by rebels in arms against the State or United States.”

The ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Beach, Downey, Dix, Gover, Henshaw, Hayxhurst, Wood, Watson - 8.

Nays—Messrs. Boush, Moore, Penn, Stone, Thomas, Webb, Wing—7.

So the amendment was adopted.

The question then recurring on the adoption or rejection of the section as amended, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Beach, Boush, Downey, Dix, Gover, Henshaw, Hayxhurst, Penn, Stone, Thomas, Webb, Wing, Wood, Watson—14.

Nays—Mr. Mocre.

So the section was adopted.

The question then recurring on the adoption or rejection of the Report as amended, it was adopted.

On motion the Convention took a recess until 3 o'clock.

—o—

AFTERNOON SESSION.—Convention met at 3 o'clock.

Mr. WATSON called up the original ordinance introduced by him relative to the application of funds derived from the sale of lands under the direct tax law.

Mr. MOORE objected to the further consideration of the ordinance, as it had once been decided.

The PRESIDENT stated that a substitute for the ordinance had been considered and lost, and that the ordinance itself was now in order.

Mr. MOORE appealed from the decision of the PRESIDENT, and the appeal was sustained by the Convention.

Mr. WATSON then submitted the ordinance as an original proposition, and desired the ayes and nays taken upon it without discussion.

Mr. WING submitted the following as an additional section :

SEC. 4.—The General Assembly shall take no steps towards settling claims due to loyal men for the loss of slaves or other property until the whole State shall have been recovered from the insurgents, and the amount ascertained which shall be due to them for such losses.

The amendment was accepted.

Mr. WING moved to strike out in the ninth line the words “at its first session,” and in the tenth line the word “thereafter.” The amendment was concurred in.

Mr. WEBB moved to lay on the table and print, but the motion was not sustained.

Mr. WING moved to strike out the words, "provided such owners have given active proof of their loyalty to the Government of the United States." The motion was concurred in by a vote of ayes 10; nays 4.

Mr. WEBB moved to strike out the twenty-second, twenty-third and twenty-fourth lines.

The ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Beach, Boush, Moore, Tennis, Webb, Wood—6.

Nays—Messrs. Downey, Dix, Gover, Henshaw, Hawxhurst, Penn, Stone, Thomas, Wing, Watson—10.

So the motion to strike out was lost.

The question then recurring on the adoption or rejection of the ordinance, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Downey, Dix, Gover, Henshaw, Hawxhurst, Penn, Stone, Thomas, Wing, Wood, Watson—11.

Nays—Messrs. Beach, Boush, Moore, Tennis—4.

So the ordinance was adopted.

On motion the Convention then adjourned until 10 o'clock, A. M., to-morrow.

—o—

TUESDAY, March 29th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. WING submitted the following resolution, which was adopted:

Resolved, That the resolution passed on the twenty-first instant, directing the President to adjourn this Convention *sine die* on the twenty-ninth instant, is hereby rescinded.

Mr. WING submitted the Report of the Committee appointed to form a schedule for the Constitution, which was laid on the table and ordered to be printed.

Mr. MOORE called up the resolution providing for submitting the Constitution to a vote of the people for their ratification or rejection, and moved its reference to the Committee on the Schedule.

The motion was concurred in.

Mr. BEACH moved a re-consideration of the vote ordering the printing of the Report of the Schedule Committee. The motion being sustained, he then moved the recommitment of the Report.

The motion was concurred in, and the Report re-committed.

The amendment to the substitute for the Report of the Committee on the Qualification of Voters being the special order of the day, the same was taken up and considered at great length.

The amendment was temporarily withdrawn by the gentleman from Loudoun (Mr. HENSHAW), whereupon

Mr. BEACH submitted the following amendment to the substitute :

“ After the word “ people,” in the beginning of the ninth line, strike out all down to the word “ pardon” inclusive, in the nineteenth line, and in lieu thereof insert the following :

Provided, however, that no one shall be allowed to vote, who, when he offers to vote, if his right be challenged for alleged disloyalty, shall not thereupon take, or shall not before have taken, the following oath : ‘ I do solemnly swear (or affirm) that I will support the Constitution of the United States and the laws made in pursuance thereof, as the supreme law of the land, anything in the Constitution and laws of the State of Virginia, or in the ordinances of the Convention which assembled at Richmond on the thirteenth day of February, eighteen hundred and sixty-one, to the contrary notwithstanding ; and that I will uphold and defend the government of Virginia as restored by the Convention which assembled at Wheeling on the eleventh day of June, eighteen hundred and sixty-one, and that I have not since the first day of January, eighteen hundred and sixty-four, voluntarily given aid or assistance, in any way, to those in rebellion against the Government of the United States for the purpose of promoting the same.’ Any person falsely so swearing shall be subject to the penalties of perjury. No person shall hold any office under this Constitution who shall not have taken and subscribed the oath aforesaid.’ ”

The amendment was debated at some length by Messrs. Beach and Wing in the affirmative, and Messrs. Watson and Downey in the negative.

Mr. WATSON moved an adjournment, but the motion was not sustained.

The ayes and nays being demanded on the adoption or rejection of the amendment, they were recorded as follows :

Ayes--Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Moore, Penn, Stone, Thomas, Tennis, Webb, Wing--10.

Nays--Messrs. Downey, Dix, Gover, Henshaw, Hawxhurst, Wood, Watson--7.

So the amendment was adopted.

Mr. DOWNEY moved to lay on the table and have the substitute printed in its amended form.

The motion was lost.

On motion the Convention then adjourned until 10 o'clock, A. M., to-morrow.

—o—

WEDNESDAY, March 30th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. WING called up the resolution previously submitted, pro-

viding for the appointment of a special committee to prepare an address to the President of the United States on the subject of emancipation and compensation, and asked that the ayes and nays be taken on the subject. They were recorded as follows :

Ayes--Messrs. LeRoy G. Edwards, (President,) Boush, Dix, Moore, Penn, Stone, Thomas, Webb, Wing--9.

Nays--Messrs. Beach, Downey, Gover, Henshaw, Hawxhurst, Tennis, Wood--7.

So the resolution was adopted.

Mr. WING submitted an ordinance giving the Governor power to remove certain officers for disloyalty and neglect of duty in certain cases, which was laid on the table and ordered to be printed.

Mr. DOWNEY submitted the following resolution, which was adopted :

Resolved, That the Report of the Committee on the Schedule be laid on the table and printed.

On motion, the substitute for the Report of the Committee on the Qualification of Voters was taken up for further consideration.

Mr. WATSON moved to amend the fourteenth line by inserting the word "encouragement" after the word "given," and after the word "assistance," at the end of the same line, the words, "or by conversation expressed sympathy."

The ayes and nays being demanded on the amendment, they were recorded as follows :

Ayes--Messrs. Downey, Gover, Henshaw, Hawxhurst, Wood, Watson--6.

Nays---Messrs. LeRoy G. Edwards, (President), Beach, Boush, Dix, Moore, Penn, Stone, Thomas, Tennis, Webb, Wing--11.

So the amendment was lost.

Mr. DOWNEY submitted the following amendment:—"In the seventh line, after the word "vote," insert, 'but a citizen of the United States, who has previously been a qualified voter of this State, and removed therefrom and returned, and who shall have resided in the election district, and shall have paid his taxes as aforesaid, shall be entitled to vote after residing in the State and county six months.'

The amendment was lost.

Mr. DOWNEY then moved to amend by striking out the words, "if his right be challenged for alleged disloyalty."

The ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Downey, Dix, Gover, Henshaw, Hawxhurst—9.

Nays—Messrs. Moore, Penn, Stone, Thomas, Tennis, Webb, Wing, Wood—8.

So the amendment was adopted.

Mr. WATSON moved to amend by inserting at the end of the first paragraph the words, "and no person shall be elected as a member of the Legislature, or as Governor or Lieutenant Governor, or to

any State office, who has held office, either civil or military, or given aid and comfort in any way, to the so-called Confederate States of America."

The ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Downey, Gover, Henshaw, Hawxhurst, Wood, Watson—6.

Nays, *s*—Messrs. LeRoy G. Edwards, (President), Beach, Boush, Dix, Moore, Penn, Stone, Thomas, Tennis, Webb, Wing—11.

So the amendment was lost.

Mr. HAWXHURST moved to amend by inserting the following at the end of the first paragraph :

"But no person shall vote or hold office under this Constitution who has held office under the so-called Confederate government, or under any rebellious State government, or who has been a member of the so-called Confederate Congress, or a member of any State Legislature in rebellion against the authority of the United States, excepting therefrom county officers."

The ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Downey, Dix, Gover, Henshaw, Hawxhurst, Penn, Thomas, Tennis, Webb, Wing, Wood, Watson—15.

Nays—Messrs. Moore, Stone—2.

So the amendment was adopted.

Mr. EDWARDS, (President), moved to amend by inserting after the word "perjury" the words, "but the Legislature shall have power to pass an act or acts prescribing means by which persons who have been disfranchised by this provision shall or may be restored to the rights of voters when in their opinion it will be safe to do so."

The amendment was adopted.

Mr. WING moved the previous question, which motion was sustained.

The question then recurring on the adoption or rejection of the substitute, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards, (President,) Beach, Boush, Downey, Dix, Gover, Henshaw, Hawxhurst, Moore, Stone, Thomas, Tennis, Webb, Wing, Wood—15.

Nays—Messrs. Penn, Watson—2.

So the substitute was adopted.

Mr. HAWXHURST then moved to amend the Report by inserting after the word "him" in the fifth line, the words, "after the adoption of this Constitution."

The amendment was adopted.

Mr. PENN moved to amend by inserting after the word "therein" the following : "but citizens of this State, when in the military service of the United States, shall be permitted to vote under such

regulations as may be prescribed by the General Assembly, wherever they may be stationed, the same as if they were within their respective cities, counties or districts.”

The amendment was adopted.

Mr. BEACH moved to amend by striking out in the twenty-fifth line the words, “at its first session after the adoption of this Constitution, and afterwards.”

The amendment was adopted.

A motion to adjourn was made and lost.

Mr. WING moved to amend the last section by inserting at the end of the same the words, “for which the General Assembly shall provide by law.”

The amendment was adopted.

The question then recurring on the adoption or rejection of the Report as amended, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. LeRoy G. Edwards, (President), Beach, Boush, Downey, Dix, Gover, Henshaw, Hawxhurst, Moore, Penn, Stone, Thomas, Teunis, Webb, Wing, Wood—16.

Nays—Mr. Watson.

So the Report was adopted.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow.

—o—

THURSDAY, March 31st, 1864

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

The PRESIDENT announced the following special committee to prepare an address to the President of the United States on the subject of emancipation and compensation, in conformity with a resolution previously adopted, viz:—Messrs. Wing, Webb, Boush, Penn, and Henshaw.

Mr. DOWNEY submitted the Report of the Committee on the Schedule, but afterwards withdrew it.

Mr. BEACH moved a re-consideration of the vote adopting the Report of the Committee on the Qualification of Voters. The motion being sustained, he then moved to amend the fourth section by inserting after the word “law,” the following words—“at its first session after the adoption of this Convention, but until such provision shall have been made, votes shall be given as heretofore.”

The amendment was adopted, and the Report as amended re-adopted.

Mr. BEACH submitted the following resolution, which was adopted :

Resolved, That the Committee on the Schedule be instructed to prepare, also, a suitable preamble to the Constitution, and to report the whole Constitution, as amended, with preamble and Schedule printed, in a connected and complete form.

Mr. WEBB moved the adoption of the first article of the old Constitution, with the words "as amended and" stricken out. The article, as amended, was adopted.

Mr. WEBB also moved the adoption of the second article of the old Constitution without amendment. The article was so adopted.

Mr. WING called up the ordinance previously submitted, empowering the Governor to remove certain officers for disloyalty and neglect of duty.

Mr. HAWTHURST moved to amend the ordinance by inserting the following words at the end of the first paragraph:—"Provided, That this ordinance shall not affect any counties now organized."

The amendment was accepted.

The ordinance was then withdrawn by consent of the Convention.

Mr. DOWNEY called up an ordinance previously submitted by him providing for amendments to the Constitution by the General Assembly.

The ayes and nays being demanded on the adoption or rejection of the ordinance, they were recorded as follows:

Ayes---Messrs. Boush, Downey, Henshaw---3.

Nays---Messrs. LeRoy G. Edwards, (President), Dix, Gover, Moore, Penn, Stone, Thomas, Tennis, Webb, Wing, Wood, Watson.---12.

So the ordinance was rejected.

On motion the Convention took a recess until 3 o'clock.

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AFTERNOON SESSION.---The Convention re-assembled at 3 o'clock, P. M.

In order to give the Committee on the Schedule time to Report, on motion of

Mr. WING the Convention adjourned until Saturday next, at 12 o'clock, M.

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SATURDAY, April 2nd, 1864.

Convention met at 12 o'clock, M.

The PRESIDENT being absent, Mr. WEBB, of Norfolk, was called to the chair.

The minutes of the previous meeting were read and approved.

Mr. DOWNEY submitted the Report of the Committee on the Schedule, which was adopted.

Mr. BEACH submitted an ordinance providing for submitting the Constitution to a vote of the people for their ratification or rejection, which was laid on the table and ordered to be printed.

An ordinance entitled "an ordinance for the establishment of the Restored Government," was submitted and laid on the table and ordered to be printed.

On motion the Convention adjourned until 2 o'clock, P. M., on Monday next.

—o—

MONDAY, April 4th, 1864.

Convention met at 2 o'clock, P. M.

The minutes of the previous meeting were read and approved.

Mr. WING moved to take up the ordinance providing for the establishment of the State Government in counties as they may be reclaimed.

The motion was sustained.

Mr. WING moved to amend by transposing the words "qualify and give bonds."

The amendment was adopted.

Mr. WATSON moved to amend the first line by inserting after the word "Commonwealth" the words, "not now organized."

The amendment was accepted.

Mr. WING submitted the following as an additional section, which was adopted:

Sec. 2. It shall be proper and legal for the voters of any county where it shall be unsafe by reason of the presence of insurgent troops to open a poll or polls to open the same in any other part of such county.

The ordinance was then adopted as amended,

Mr. HAWKHURST submitted an ordinance relative to the remission of taxes, which was laid on the table and ordered to be printed.

Mr. WATSON submitted the following resolution, which was adopted:

Resolved, That two hundred and fifty copies of the Journal of this Convention be printed and placed in the hands of the Secretary of the Commonwealth, whose duty it shall be to furnish each member of the Convention with five copies of the same.

On motion of Mr. WATSON the ordinance providing for submitting the Constitution to a vote of the people, was taken up for consideration.

The motion being re-considered, Mr. WATSON offered the following resolution:

Resolved, That the Constitution which may be adopted by this Convention shall be submitted to the people for their ratification or rejection.

The resolution was debated at some length by Messrs. Watson and Hawxhurst, in the affirmative, and Messrs. Penn and Wing in the negative.

The question then recurring on the adoption or rejection of the resolution, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Beach, Downey, Dix, Gover, Hawxhurst, Moore, Watson—7.

Nays—Messrs. LeRoy G. Edwards, (President), Boush, Henshaw, Penn, Stone, Tennis, Thomas, Webb, Wing, Wood—10.

So the resolution was lost.

Mr. BOUSH submitted an ordinance relative to the repeal of all laws relating to punishment by stripes, but afterwards withdrew it.

On motion the Convention adjourned until 12 o'clock, M., to-morrow.

—o—
TUESDAY, April 5th, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read and approved.

Mr. WING submitted the following resolution :

Resolved, That five hundred copies of the Constitution as adopted by this Convention be printed and placed in the hands of the Secretary of the Commonwealth, whose duty it shall be to furnish each member with five copies of the same; and that the Secretary of the Commonwealth, in conjunction with the Auditor of the State, shall have the printing done with all possible dispatch.

Mr. DOWNEY moved to amend by ordering the printing of one thousand copies of the Constitution. The amendment was accepted, and the resolution as amended then adopted.

Mr. PENN submitted the following resolution, which was adopted :

Resolved, That the sum of fifty dollars be, and the same is hereby appropriated the Secretary of this Convention for superintending the printing of the Journal and the Constitution.

On motion the Convention adjourned until 12 o'clock, M., to-morrow.

—o—
WEDNESDAY, April 6th, 1864.

Convention met at 12 o'clock, M.

The minutes of the previous meeting were read, corrected and approved.

Mr. WING moved to take up and have read in a connected form the Constitution thus far adopted, after which a vote should be taken upon its adoption as a whole, but afterwards withdrew it, and called up the Report of the Committee on the Preamble.

The same was read, after which, on motion of Mr. WEBB, the Secretary was authorized to fill the blank in the same with the proper date, after which it was adopted.

Mr. WING then moved the reading of the Constitution section by section, which was lost.

Mr. WING then moved the reading of the Constitution, after which a vote should be taken upon its adoption or rejection as a whole.

The motion was concurred in.

On motion the Convention adjourned until 2½ o'clock.

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AFTERNOON SESSION.—Convention convened at 2½ o'clock.

The Constitution was taken up for consideration.

Mr. WING moved a suspension of the rules in order that it might be read a second time.

The Constitution was so read, and its further consideration postponed until to-morrow.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow.

—o—
THURSDAY, April 7th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

Mr. WING moved that Mr. Gillis, engrossing clerk, be requested to read the Constitution from the engrossed copy of the same. The motion was concurred in, and the reading proceeded with.

By consent of the Convention the first sentence of the second Section of the Legislative Department was transposed and made to read as follows:—"The House of Delegates shall consist of 'not' less than eighty and 'of' not more than one hundred and four members."

The reading of the Constitution having been completed,

Mr. WING moved its adoption, and asked that the ayes and nays might be called,

The motion was sustained, and the vote then recorded as follows:

Ayes—Messrs. LeRoy G. Edwards, (President), Beach, Boush, Dix, Gover, Henshaw, Penn, Stone, Thomas, Tennis, Webb, Wing, Wood—13.

Nays—Messrs. Downey, Hawxhurst, Moore, Watson—4.

So the Constitution was adopted.

Mr. WATSON moved that the ordinance providing for submitting the Constitution to a vote of the people for their ratification or rejection be taken up.

The motion was concurred in, and the ordinance read.

Mr. WING moved its indefinite postponement, but withdrew it.

Mr. HENSHAW then submitted the following resolution:

Resolved, That the Constitution adopted by this Convention shall take effect and remain in full force from and after the adjournment of this Convention.

Pending the consideration of the resolution the Convention took a recess until 2 o'clock.

AFTERNOON SESSION.—The Convention convened at 2 o'clock.

The consideration of the ordinance providing for the submission of the Constitution to a vote of the people was resumed.

Mr. WATSON moved the previous question, which was sustained by a vote of ayes 8 ; nays 5.

On motion the Convention adjourned until 10 o'clock, A. M., to-morrow

FRIDAY, April 8th, 1864.

Convention met at 10 o'clock, A. M.

The minutes of the previous meeting were read and approved.

The previous question having been moved and sustained at the previous meeting on the ordinance providing for the submission of the Constitution to a vote of the people, the same was taken up as the first business in order.

Mr. BOUSH moved a reconsideration of the previous question, which motion was sustained by a vote of ayes 8 ; nays 5.

The ordinance then being under consideration, it was discussed by Messrs. Beach, Hawxhurst and Boush in the affirmative, and Messrs. Wing, Penn and Edwards in the negative.

Mr. BEACH submitted the following amendment, to be inserted at the end of the second section :

“ The Commissioners and conducting officers shall be duly authorized to administer to each other and to voters all oaths and affirmations made necessary at the taking of the poll hereby provided for, which might be administered by Justices of the Peace, and also to certify the same.”

The amendment was adopted.

The question then recurring on the adoption or rejection of the ordinance, the ayes and nays being demanded, they were recorded as follows :

Ayes—Messrs. Beach, Boush, Downey, Gover, Hawxhurst—5.

Nays—Messrs. LeRoy G. Edwards, (President), Henshaw, Penn, Stone, Thomas, Tennis, Webb, Wing, Wood—9.

So the ordinance was lost.

Mr. HENSHAW called up the resolution previously submitted by him, viz :

Resolved, That the Constitution adopted by this Convention shall take effect and remain in full force from and after the adjournment of this Convention.

Mr. DOWNEY moved to amend the second line by striking out the word “ remain ” and substituting the word “ be.”

The amendment was accepted, and the resolution as amended, then adopted.

